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UNITED STATES DISTRICT COURT

FOR THE

EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA

Plaintiff

vs.

CIVIL NO.

GREGORY SEATON aka GREGORY D.  
SEATON

Defendant

17 0748

COMPLAINT

The United States of America, on behalf of its Agency, U.S. Department of Education, by its specially appointed counsel, Rebecca A. Solarz of KML LAW GROUP, P.C., represents as follows:

1. This Court has jurisdiction pursuant to 28 U.S.C. 1345.
2. The last-known address of the Defendants, GREGORY SEATON aka GREGORY D. SEATON (“Defendant”) is 3806 N. 8th Street, Philadelphia, PA 19140.
3. That the defendant is indebted to the plaintiff in principal amount of \$2,786.67, plus interest of \$4,142.99, for a total of \$6,929.66. A true and correct copy of the Certificate of Indebtedness is attached as Exhibit “A” (“Certificate of Indebtedness”).
4. Demand has been made upon Defendant by Plaintiff for the sum due but the amount due remains unpaid.

WHEREFORE, the plaintiff demands judgment against Defendant as follows;

- (A) In the amount \$6,929.66.
- (B) Plus filing fee allowed pursuant to 28 U.S.C., Section 1914 in the sum of \$150.00.
- (C) Interest from the date of judgment at the legal rate of interest in effect on the date of judgment until paid in full.
- (D) Costs of suit.

Notice is hereby given to Defendant that Plaintiff intends to seek satisfaction of any judgment rendered in its favor in this action from any debt accruing.

United States of America by and through  
its specially appointed counsel  
KML Law Group, P.C.

By: \_\_\_\_\_  
Rebecca A. Solarz, Esquire  
BNY Independence Center  
701 Market Street  
Suite 5000  
Philadelphia, PA 19106-1532  
(215)825-6327  
rsolarz@kmllawgroup.com

UNITED STATES DISTRICT COURT  
FOR THE  
EASTERN DISTRICT OF PENNSYLVANIA

**UNITED STATES OF AMERICA**

**Plaintiff**

**CIVIL NO.**

**vs.**

**GREGORY SEATON aka GREGORY D.  
SEATON**

**Defendant**

**EXHIBITS**

**“A” CERTIFICATE OF INDEBTEDNESS**

**U. S. DEPARTMENT OF EDUCATION  
SAN FRANCISCO, CALIFORNIA**

**CERTIFICATE OF INDEBTEDNESS #1 OF 1**

Gregory Seaton  
aka Gregory D. Seaton  
3806 N. 8<sup>th</sup> St.  
Philadelphia, PA 19140-3223  
Account No. xxx-xx-8744

I certify that U. S. Department of Education records show that the borrower named above is indebted to the United States in the amount stated below plus additional interest from 10/14/16.

On or about 05/24/89 the borrower executed promissory note(s) to secure loan(s) of \$2,625.00 from Boston Five (Revere, MA). This loan was disbursed for \$2,625.00 on 06/14/89 at a variable rate of interest to be established annually by the Department of Education. The loan obligation was guaranteed by American Student Assistance (MHEAC), and then reinsured by the Department of Education under loan guaranty programs authorized under Title IV-B of the Higher Education Act of 1965, as amended, 20 U.S.C. § 1071 *et seq.* (34 C.F.R. Part 682). The holder demanded payment according to the terms of the note, and credited \$523.35 to the outstanding principal owed on the loan. The borrower defaulted on the obligation on 07/13/90, and the holder filed a claim on the loan guarantee.

Due to this default, the guaranty agency paid a claim in the amount of \$2,786.67 to the holder. The guarantor was then reimbursed for that claim payment by the Department under its reinsurance agreement. Pursuant to 34 C.F.R. § 682.410(b)(4), once the guarantor pays on a default claim, the entire amount paid becomes due to the guarantor as principal. The guarantor attempted to collect this debt from the borrower. The guarantor was unable to collect the full amount due, and on 12/04/02, assigned its right and title to the loan to the Department.

Since the assignment of the loan, the Department has credited a total of \$250.00 in payments from all sources, including Treasury Department offsets, if any, to the balance. After application of these payments, the borrower now owes the United States the following:

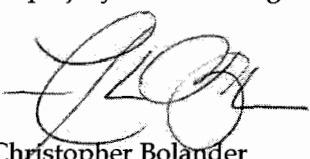
Principal:	\$ 2,786.67
Interest:	\$ 4,142.99

Total debt as of 10/14/16:	\$ 6,929.66
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Interest accrues on the principal shown here at the current rate of 3.60% and a daily rate of \$0.27 through June 30, 2017, and thereafter at such rate as the Department establishes pursuant to section 427A of the Higher Education Act of 1965, as amended, 20 U.S.C. § 1077a.

Pursuant to 28 U.S.C. § 1746(2), I certify under penalty of perjury that the foregoing is true and correct.

Executed on: 10/14/16



Christopher Bolander  
Loan Analyst/Litigation Support

**CIVIL COVER SHEET**

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

M-6-0748

17 0748

**I. (a) PLAINTIFFS**

The United States of America

**DEFENDANTS**GREGORY SEATON aka GREGORY D. SEATON  
3806 N. 8th Street  
Philadelphia, PA 19140(b) County of Residence of First Listed Plaintiff \_\_\_\_\_  
(EXCEPT IN U.S. PLAINTIFF CASES)County of Residence of First Listed Defendant Philadelphia  
(IN U.S. PLAINTIFF CASES ONLY)NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF  
THE TRACT OF LAND INVOLVED.(c) Attorneys (Firm Name, Address, and Telephone Number)  
KML Law Group, P.C. – Rebecca A. Solarz, Esquire  
701 Market Street, Ste. 5000, Phila., PA 19106  
215-627-1322, rsolarz@kmlawgroup.com

Attorneys (If Known) \_\_\_\_\_

**II. BASIS OF JURISDICTION** (Place an "X" in One Box Only)

- |                               |                                                              |
|-------------------------------|--------------------------------------------------------------|
| X 1 U.S. Government Plaintiff | 3 Federal Question<br>(U.S. Government Not a Party)          |
| 2 U.S. Government Defendant   | 4 Diversity<br>(Indicate Citizenship of Parties in Item III) |

**III. CITIZENSHIP OF PRINCIPAL PARTIES** (Place an "X" in One Box for Plaintiff and One Box for Defendant)

PFT	DEF	PTF	DEF
X 1		Incorporated or Principal Place of Business In This State	4 4
2	2	Incorporated and Principal Place of Business In Another State	5 5
3	3	Foreign Nation	6 6

**IV. NATURE OF SUIT** (Place an "X" in One Box Only)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
110 Insurance	PERSONAL INJURY	PERSONAL INJURY	422 Appeal 28 USC 158	375 False Claims Act
120 Marine	310 Airplane	365 Personal Injury - Product Liability	423 Withdrawal 28 USC 157	400 State Reapportionment
130 Miller Act	315 Airplane Product Liability	367 Health Care/ Pharmaceutical Personal Injury		410 Antitrust
140 Negotiable Instrument	320 Assault, Libel & Slander	Product Liability		430 Banks and Banking
150 Recovery of Overpayment & Enforcement of Judgment	330 Federal Employers' Liability	368 Asbestos Personal Injury Product Liability		450 Commerce
X 151 Medicare Act	340 Marine			460 Deportation
X 152 Recovery of Defaulted Student Loans (Excludes Veterans)	345 Marine Product Liability			470 Racketeer Influenced and Corrupt Organizations
153 Recovery of Overpayment of Veteran's Benefits	350 Motor Vehicle	370 Other Fraud		480 Consumer Credit
160 Stockholders' Suits	355 Motor Vehicle Product Liability	371 Truth in Lending		490 Cable/Sat TV
190 Other Contract	360 Other Personal Injury	380 Other Personal Property Damage		850 Securities/Commodities/ Exchange
195 Contract Product Liability	362 Personal Injury - Medical Malpractice	385 Property Damage Product Liability		890 Other Statutory Actions
196 Franchise				891 Agricultural Acts
				893 Environmental Matters
				895 Freedom of Information Act
				896 Arbitration
				899 Administrative Procedure Act/Review or Appeal of Agency Decision
				950 Constitutionality of State Statutes
REAL PROPERTY	CIVIL RIGHTS	PRISONER PETITIONS		
210 Land Condemnation	440 Other Civil Rights	Habeas Corpus:		
220 Foreclosure	441 Voting	463 Alien Detainee		
230 Rent Lease & Ejectment	442 Employment	510 Motions to Vacate Sentence		
240 Torts to Land	443 Housing/ Accommodations	530 General		
245 Tort Product Liability	445 Amer. w/Disabilities Employment	535 Death Penalty		
290 All Other Real Property	446 Amer. w/Disabilities Other	Other:		
	448 Education	540 Mandamus & Other		
		550 Civil Rights		
		555 Prison Condition		
		560 Civil Detainee - Conditions of Confinement		

**V. ORIGIN** (Place an "X" in One Box Only)

- |                       |                            |                                 |                          |                                               |                            |
|-----------------------|----------------------------|---------------------------------|--------------------------|-----------------------------------------------|----------------------------|
| 1 Original Proceeding | 2 Removed from State Court | 3 Remanded from Appellate Court | 4 Reinstated or Reopened | 5 Transferred from Another District (specify) | 6 Multidistrict Litigation |
|-----------------------|----------------------------|---------------------------------|--------------------------|-----------------------------------------------|----------------------------|

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):

28 U.S.C. 1345

Brief description of cause:

Enforced Collections

**VI. CAUSE OF ACTION**CHECK IF THIS IS A CLASS ACTION  
UNDER RULE 23, F.R.Cv.P.**DEMAND \$**CHECK YES only if demanded in complaint:  
**JURY DEMAND:** Yes  No **VII. REQUESTED IN COMPLAINT:**

(See instructions):

JUDGE \_\_\_\_\_ DOCKET NUMBER \_\_\_\_\_

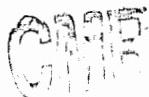
DATE

SIGNATURE OF ATTORNEY OF RECORD

FEB 16 2017

FOR OFFICE USE ONLY





**UNITED STATES DISTRICT COURT**  
**FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA

Plaintiff

CIVIL ACTION NO.

vs.

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 Defendant

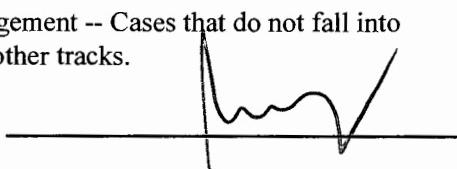
17 0748

In accordance with the Civil Justice Expense and Delay Reduction Plan of this court, counsel for plaintiff shall complete a case Management Track Designation Form in all civil cases at the time of filing the complaint and serve a copy on all defendants. (See § 1:03 of the plan set forth on the reverse side of this form.) In the event that the defendants do not agree with the plaintiff regarding said designation, that the defendants shall, with their first appearance, submit to the clerk of court and serve on the plaintiff and all other parties, a case management track designation form specifying the track to which those defendants believe the case should be assigned.

**SELECT ONE OF THE FOLLOWING CASE MANAGEMENT TRACKS:**

- (a) Habeas Corpus -- Cases brought under 28 U.S.C. §2241 through §2255. ( )
- (b) Social Security -- Cases requesting review of a decision of the Secretary of Health and Human Services denying plaintiff Social Security Benefits. ( )
- (c) Arbitration -- Cases required to be designated for arbitration under Local Civil Rule 53.2. ( )
- (d) Asbestos -- Cases involving claims for personal injury or property damage from exposure to asbestos. ( )
- (e) Special Management -- Cases that do not fall into tracks (a) through (d) that are commonly referred to as complex and that need special or intense management by the court. (See reverse side of this form for a detailed explanation of special management cases.) ( )
- (f) Standard Management -- Cases that do not fall into any one of the other tracks. (X)

2/10/17  
 Date



Rebecca A. Solarz, Esq.

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FEB 16 2017